

Page Denied

Next 3 Page(s) In Document Denied

99th CONGRESS

1st SESSION

S. _____

(NOTE.—Fill in all blank lines except those provided for the date, number, and reference of bill.)

IN THE SENATE OF THE UNITED STATES

*Amendment in the nature of
a substitute for S. 1429*

Mr. Specter

introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 18, United States Code, to authorize prosecution of terrorists who attack United States nationals abroad, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Terrorist Prosecution Act of 1985".

SEC. 2. (a) Part I of title 18, United States Code, is amended by inserting after chapter 113 the following:

"Chapter 113A -- TERRORIST ACTS AGAINST

UNITED STATES NATIONALS ABROAD

"Sec.

"2331. Findings and purpose

"2332. Terrorist acts against United States nationals abroad

"SEC. 2331. Findings and purpose

"The Congress hereby finds that:

"(a) Between 1968 and 1985, there were over 8,000 incidents of international terrorism, over 50 percent of which were directed against American targets;

"(b) It is an accepted principle of international law that a country may prosecute crimes committed outside its boundaries that are directed against its own security or the operation of its governmental functions;

"(c) Terrorist attacks on Americans abroad threaten a fundamental function of our government: that of protecting its citizens;

"(d) Such attacks also threaten the ability of the United States to implement and maintain an effective foreign policy;

"(e) Terrorist attacks further interfere with interstate and foreign commerce, threatening business travel and tourism as well as trade relations;

"(f) The purpose of this Chapter is to provide for the prosecution and punishment of persons who, in furtherance of terrorist activities or because of the nationality of the victims, commit violent attacks upon Americans outside the United States or conspire outside of the United States to murder Americans within the United States.

"SEC. 2332. Terrorist acts against United States nationals abroad.

"(a) Whoever outside the United States commits any murder as defined in section 1111(a) of this title or manslaughter as defined in section 1112(a) of this title, or attempts or conspires to commit murder, of a national of the United States shall upon conviction in the case of murder be punished as provided in section 1111, for manslaughter be punished as provided in section 1112, for attempted murder be imprisoned for not more than 20 years, and for conspiracy be punished as provided by section 1117 of this title, notwithstanding that the offense occurred outside the United States.

"(b) Whoever outside the United States, with intent to cause serious bodily harm or significant loss of liberty, assaults, strikes, wounds, imprisons, or makes any other violent attack upon the person or liberty of any national of the United States or, if likely to endanger his person or liberty, makes violent attacks upon his business premises, private accommodations, or means of transport, or attempts to commit any of the foregoing, shall be fined not more than \$5,000 or imprisoned not more than three years, or both. Whoever in the commission of any such act uses a deadly or dangerous weapon shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

"(c) Whoever, outside of the United States, conspires to commit murder, as defined in section 1111(a) of this title, within the United States of any national of the United States, shall be punished as provided in section 1117 of this title notwithstanding that the offense occurred outside the United States.

"(d) In enforcing subsections (a), (b) and (c), the Attorney General may request assistance from any Federal, State, or local agency, including the Army, Navy, and Air Force, any statute, rule, or regulation to the contrary notwithstanding.

"(e) As used in this section, the term "national of the United States" has the meaning given such term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C.1101(a)(22)).

"(f) No indictment for this section can be returned without the written approval of the Attorney General or his designee."

(b) The table of chapters for part I of title 18, United States Code, is amended by inserting after the item for chapter 113, the following:

"113A--Terrorist acts against United States nationals abroad....2331 and 2332.